

CLERK'S OFFICE
APPROVED
Date: 10-12-98

Submitted by: Chairman of the
Assembly at the Request
of the Mayor
Prepared by: Department of Law
For reading: October 6, 1998

ANCHORAGE, ALASKA
AO NO. 98-168

1 AN ORDINANCE APPROVING A RIGHT-OF-WAY PERMIT AND AGREEMENT FOR
2 THE CONSTRUCTION, OPERATION AND MAINTENANCE OF A JET FUEL
3 TRANSMISSION PIPELINE AND RELATED FACILITIES ON AND ACROSS
4 MUNICIPAL OWNED, MANAGED AND CONTROLLED LANDS INCLUDING TIDE
5 AND SUBMERGED LANDS.
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8 WHEREAS, the Anchorage Fueling and Service Company, ("AFSC") a consortium of
9 airline company representatives that manage airport services at the Anchorage International
10 Airport , have long recognized the need to upgrade jet fuel delivery to the Anchorage
11 International Airport; and
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13 WHEREAS, the existing six-inch cross-town pipeline, built in 1962 and in service for the
14 past 36 years, has outlived its usefulness and can no longer meet the current and projected jet
15 fuel delivery requirements of Anchorage International Airport; and,
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17 WHEREAS, AFSC, through the services of a neutral third party consultant and an agency
18 working group undertook a year-long assessment that provided in-depth evaluations of jet fuel
19 needs, modes of transport and alignments, seismic hazards, impacts to the community and the
20 affected environments and other relevant parameters, and also included considerable public
21 outreach and review; and
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23 WHEREAS, through this evaluation and public process it was determined that the most
24 efficient safe and acceptable mode of jet fuel transport was via a new 12" pipeline that will run
25 between the Port and Anchorage International Airport across Municipal property on the tidal
26 mudflats; and
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28 WHEREAS, the new pipeline was designed and routed to deliver fuel with a reliable and
29 long-term solution to the future, Anchorage International Airport fuel needs, in the safest mode
30 of fuel transport, and in a manner that avoids and minimizes impacts to the community and the
31 environment; and
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33 WHEREAS, the Assembly is aware of the economic significance of the International
34 Airport and its key role in local, state, national and international commerce and recognizing that
35 it is imperative that freight and cargo move efficiently entering, departing and within the
36 transportation system of this Municipality to stimulate continued economic development; and,
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WHEREAS, the Anchorage Fueling and Service Company's proposed Port to Anchorage International Airport jet fuel pipeline project is critical to the continued growth and economic development of the Airport, the Municipality and the State of Alaska; and,

WHEREAS, after reviewing all other alternative pipeline routes and considering the various impacts associated with each, the most feasible, practical and safe alternative is the coastal mudflat route and that such route is the least disruptive to the community, the environment and will insure that critical community economic development needs continue to be met; and

WHEREAS, pending the receipt of a Corps of Engineering wetlands permit, AFSC wishes to begin pipeline construction in the Municipal tidelands under terms of this permit as soon as possible in order to minimize environmental impacts and to take advantage of ideal tide and weather conditions; and

WHEREAS, under the terms and conditions of Anchorage Municipal Code 25.50.530 *et. Seq.*, AFSC, as the applicant, has applied for a Right-of-Way tidelands permit for their pipeline where it crosses Municipal tidelands between the Port and the Anchorage International Airport, as negotiated with the Municipal Heritage Land Bank; now therefore,

THE ANCHORAGE ASSEMBLY ORDAINS

Section 1. The Pipeline Operation, Construction, Maintenance and Right-of-Way Permit Agreement for the Anchorage Jet Fuel Pipeline between the Municipality of Anchorage and Anchorage Fueling and Service Company, Inc., submitted to the Assembly in connection herewith and referred to hereafter in this ordinance as the "Agreement", is hereby approved.

Section 2. Pursuant to Anchorage Municipal Code sections 25.50.530 *et. seq.* the grant and issuance of a right-of-way permit to Anchorage Fueling and Service Company, Inc. (herein after in this ordinance "AFSC") over and across all lands including tide and submerged lands owned, managed or controlled by the Municipality described in the agreement (hereafter in this ordinance referred to as the "Permit"), upon the terms and conditions and subject to the reservations and limitations contained in said Agreement and the reservation of interests contained in Anchorage Municipal Code section 25.50.316 is hereby approved.

Section 3. The Mayor or his designee is hereby authorized to make and execute non-substantial amendments and modifications to the Agreement and Permit as may be reasonable and necessary to implement the intent, purposes and goals of said Agreement and Permit.

Section 4. This ordinance shall become effective immediately upon its passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this 12th day of October 1998

Taylor Von Hemmigen
Chair of the Assembly

ATTEST:

Sejane Ferguson
Municipal Clerk